

### **REMARKS**

Claims 1-11 are pending in the application; the status of the claims is as follows:

Claims 1, 2, and 5-11 are rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 5,515,181 to Iyoda et al. ("Iyoda").

Claims 3 and 4 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Iyoda in view of U.S. Patent No. 6,771,396 B1 to Cheatle et al. ("Cheatle").

### **Amendments**

The Abstract is amended to change the language to which the Examiner objected.

Claim 1 is amended to require that the scanning mechanism moves an image forming portion, *e.g.*, lens, so as to change the position of the image forming portion **relative** to the photoelectrically converting device. Moving only the image forming portion is advantageous in that it may reduce perspective distortions and is conducive to designing a small, simple, and efficient scanning mechanism. In contrast, Iyoda clearly teaches that optical means 13 and solid-state imaging device 15 are mounted together in vertical movable housing 11. *See* Fig. 10 and column 4, lines 12-40. Because optical means 13 and solid state imaging device 15 are mounted to housing 11, they cannot move **relative** to each other. Accordingly, it is respectfully submitted that Iyoda is distinguished by claim 1.

Claims 5 and 9 are amended to contain features analogous to the features of amended claim 1. It is respectfully submitted, therefore, that Iyoda is also distinguished by claims 5 and 9.

Claim 8 is amended to correct a grammatical error.

These changes do not introduce any new matter.

**CONCLUSION**

Wherefore, in view of the foregoing amendments and remarks, this application is considered to be in condition for allowance, and an early reconsideration and a Notice of Allowance are earnestly solicited.

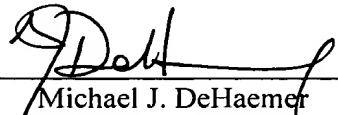
This Amendment does not increase the number of independent claims, increases the total number of claims by 9 from 11 to 20, but does not present any multiple dependency claims.

If an extension of time is required to enable this document to be timely filed and there is no separate Petition for Extension of Time filed herewith, this document is to be construed as also constituting a Petition for Extension of Time Under 37 C.F.R. § 1.136(a) for a period of time sufficient to enable this document to be timely filed.

Any other fee required for such Petition for Extension of Time and any other fee required by this document pursuant to 37 C.F.R. §§ 1.16 and 1.17, other than the issue fee, and not submitted herewith should be charged to Sidley Austin Brown & Wood LLP's Deposit Account No. 18-1260. Any refund should be credited to the same account.

Respectfully submitted,

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